

Form PTO-1083

NOV 13 2006 In RE application of  
T. NIIDOME et al.  
Patent No.: 10/588,497

## PATENT

Case Docket No. H&amp;C-5458

Group Art Unit: Not Yet Assigned

For: SWASH PLATE TYPE VARIABLE DISPLACEMENT HYDRAULIC ROTARY MACHINE

Examiner: Not Yet Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- Small entity of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- No additional fee is required.

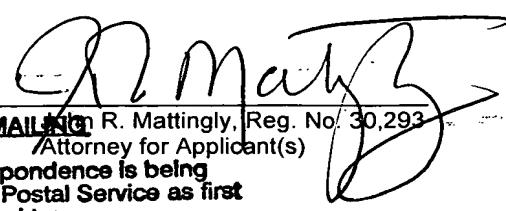
The fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Rate
Total	10	Minus ** 6 = 0	X 25 \$	X 50 \$
Indep.	1	Minus *** 5 = 0	X 100 \$	X 200 \$
<input type="checkbox"/> First presentation of Multiple Dependent Claims			X 180 \$	X 360 \$
			Total \$	Total \$0.00

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in col. 3.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write '20' in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write '3' in this space.  
The 'Highest Number Previously Paid For' (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

- Please charge my Deposit Account No. 50-1417 in the amount of \$ \_\_\_\_\_.
- A Credit Card Payment Form in the amount of \$ \_\_\_\_\_ is attached.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayments to Deposit Account No. 50-1417.
- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR 1.17.
- Any Extension of Time fees that are necessary, which are hereby requested if necessary.

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## CERTIFICATE OF MAILING

John R. Mattingly, Reg. No. 30,293  
Attorney for Applicant(s)

Date: November 7, 2006

I hereby certify that this correspondence is being  
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H&C-5458

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/588,497  
Applicant : T. NIIDOME et al.  
Filed : August 4, 2006  
Title : SWASH PLATE TYPE VARIABLE DISPLACEMENT  
HYDRAULIC ROTARY MACHINE  
TC/AU : Not Yet Assigned  
Examiner : Not Yet Assigned  
Customer No. : 24956

**SECOND PRELIMINARY AMENDMENT**

**MAIL STOP: AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination, please amend the above-identified application as follows.

**Amendments to the Abstract** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.